

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)	No. 3:05-cr-070-RRB
)	
Plaintiff,)	<u>FINAL DECREE OF FORFEITURE</u>
)	
v.)	
)	
CLYDE RAMIREZ,)	
)	
Defendant.)	
_____)	

On November 2, 2005, defendant CLYDE RAMIREZ pled guilty to Counts 2 through 4 (including Criminal Forfeiture Counts 3 and 4) of the Indictment issued in this case. Based upon the Court's acceptance of the defendant's guilty pleas, the Court found as follows:

A. That despite the government's agreement to dismiss Count 1 at sentencing, the defendant has agreed to and plead guilty to Criminal Forfeiture Count 3 of the Indictment, the defendant's interest, if any, in the approximately ONE THOUSAND FOUR HUNDRED DOLLARS (\$1,400.00) IN UNITED STATES CURRENCY, described in Count 3, is property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as the result of such violation, and property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation, thereby rendering said currency subject to forfeiture under 21 U.S.C. §§ 853(a)(1) and (2).

B. That despite the government's agreement to dismiss Count 1 at sentencing, the defendant has agreed to and plead guilty to Criminal Forfeiture Count 4 of the Indictment, the defendant's interest, if any, in one AMT BACKUP 9MM SEMI-AUTOMATIC

HANDGUN, SERIAL NUMBER DLX05666, described in Count 4, is property constituting firearms, including accessory magazines and ammunition, used or intended to be used to facilitate the transportation, sale, receipt, possession, or concealment of controlled substances which have been manufactured, distributed, dispensed, or acquired in violation of 21 U.S.C. §§ 801–904, rendering such firearm subject to forfeiture pursuant to 21 U.S.C. § 881(a)(11) and 28 U.S.C. § 2461(c).

AND WHEREAS, on December 6, 2005, the Court entered a Preliminary Order of Forfeiture forfeiting all of the right, title and interest of defendant CLYDE RAMIREZ in the above-referenced currency, described in Count 3, pursuant to 21 U.S.C. §§ 853(a)(1) and (2), and the above-referenced firearm, described in Count 4, pursuant to 21 U.S.C. § 881(a)(11) and 28 U.S.C. § 2461(c).

AND WHEREAS, on April 14, 21, and 28, 2006, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”) published, in the Anchorage Daily News, a newspaper of general circulation, notice of the Preliminary Order of Forfeiture and of the intent of the United States to dispose of said property in accordance with the law, and further notifying all third parties of their right to petition the Court within 30 days of the publication date for a hearing to adjudicate the validity of their alleged legal interest in the property.

AND WHEREAS, no petitions of interest or other claims or requests for an ancillary hearing with regard to the above-described forfeited property have been filed by any individual or entity within the time allowed by law.

Accordingly, it is hereby ORDERED, ADJUDGED and DECREED:

1. That the right, title and interest to the ONE THOUSAND FOUR HUNDRED DOLLARS (\$1,400.00) IN UNITED STATES CURRENCY, listed above, is hereby condemned, and forfeited to, and shall be vested in, the United States of America, and shall be disposed of by the ATF and its property manager and/or its contractor according to law.

2. That the right, title and interest to the AMT BACKUP 9MM SEMI-AUTOMATIC HANDGUN, SERIAL NUMBER DLX05666, listed above, is hereby condemned, and forfeited to, and shall be vested in, the United States of America, and shall be disposed of by the ATF and its property manager and/or its contractor according to law.

3. That the ATF is directed to pay any and all costs associated with the described property and to dispose of such according to law.

4. The Clerk is hereby directed to send a copy of this Order to the ATF, 222 W. 7th Avenue, #39, Room 547, Anchorage, AK 99513.

SO ORDERED this ____ day of _____, 2006.

HON. RALPH R. BEISTLINE
United States District Court